

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Jeffrey Colin Purdy,

Plaintiff,

v.

Stephanie Wilkins, Justin Neumann,  
Chris Baukol, Jesse Gilbertson, Patrick  
M. Rielly,

Defendants.

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Case No. 21-CV-0315 (SRN/DJF)

**ORDER**

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Jeffrey Colin Purdy, FCI-Sandstone, P.O. Box 1000, Sandstone, MN 55072, Pro Se.

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SUSAN RICHARD NELSON, United States District Judge

On February 28, 2023, this Court entered an order lifting the stay governing this action and requiring Plaintiff Jeffrey Colin Purdy to submit an initial partial filing fee of at least \$43.33 if he wanted this matter to proceed. [*See* Doc. No. 39 at 6.] The Court gave Purdy 20 days—that is, until March 20, 2023—to pay, failing which the Court would dismiss this action without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. [*See id.*] That deadline has now passed, and Purdy has not submitted the required fee. Accordingly, the Court now dismisses this action. *See, e.g., Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

**ORDER**

Based on the foregoing, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that this action be **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Dated: March 29, 2023

s/ Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge